

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Gary D. Fox

vs.

CASE NUMBER: 6:02-CV-1160 FJS/RFT

Commissioner of Social Security

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation of Magistrate Judge Randolph F. Treece is adopted in its entirety, the Commissioner's decision denying disability benefits is affirmed. Judgment is hereby entered in favor of the Commissioner of Social Security.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, dated the 13th day of February, 2009.

DATED: February 17, 2009


Clerk of Court

Joanne Bleskoski
Deputy Clerk